

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT STEWART, Plaintiff,	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
C.O. EMMONS, et al.,	:	
Defendants.	:	No. 12-1509

ORDER

AND NOW, on **September 9, 2014**, after consideration of the Motion to Dismiss for Lack of Subject Matter Jurisdiction filed by Defendants Coradaneen Blakely, M.A., Christopher Ladzinski, R.N., Cheryl Boyd, L.P.N., and PrimeCare Medical, Inc. ("PrimeCare Defendants") (doc. 88), and Plaintiff Robert Stewart's Response (doc. 91), it is ORDERED:

1. PrimeCare Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction is DENIED, in accordance with my accompanying memorandum opinion.
2. This case will be listed for trial as follows:

Date Certain: **November 14, 2014** at **9:30 A.M.** Jury selection will occur on **November 14, 2014** at **9:30 A.M.** in **Courtroom 3G**. The trial is expected to last six days. Counsel should consider themselves attached as of these dates.

COUNSEL PLEASE NOTE: This Order will be the only written notice counsel receive of the date this case will be tried. Counsel and all parties shall be prepared to select a jury **and** commence trial on **November 14, 2014**.

3. All other pending dates in my previously-filed Scheduling Orders remain in effect.

BY THE COURT:

/s/ Timothy R. Rice
TIMOTHY R. RICE
U.S. MAGISTRATE JUDGE